

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHANE K. HOPKINS,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-870-SLR
)	
JOHN PUSEY, JOSEPH SMITH,)	
DAVID PIERCE, LISE MERSON,)	
JUDITH MULLEN, DREWRY FENNELL,)	
M. JANE BRADY)	
)	
Defendants.)	

**DEFENDANTS PIERCE, MERSON AND THE DELAWARE ATTORNEY GENERAL'S
REVISED MOTION TO DISMISS PURSUANT TO RULE 12(b)(6) OF
THE FEDERAL RULES OF CIVIL PROCEDURE**

COME NOW, Defendants David Pierce, Lise Merson and the Delaware Attorney General, by and through undersigned counsel, and hereby respectfully request that this Honorable Court enter an Order, pursuant to Rule 12 (b)(6) of the Federal Rules of Civil Procedure, dismissing with prejudice all claims against the defendants. In support of his motion to dismiss Defendants have filed simultaneously herewith a memorandum of points and authorities demonstrating the requested relief.

WHEREFORE, Defendants respectfully requests that this Honorable Court enter an Order dismissing Plaintiff's claims with prejudice.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi

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Attorney for Defendants Pierce, Merson and
the Delaware Attorney General

DATE: June 7, 2006

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M. JANE BRADY)	
)	
Defendants.)	

ORDER

AND NOW, this _____ day of _____, 2006, the Motion to Dismiss filed by Defendants Pierce, Merson and the Delaware Attorney General in the above-captioned matter having been duly considered, and any opposition thereto,

IT IS ORDERED that the Motion to Dismiss is granted and that judgment is hereby entered in favor of the movants and against the Plaintiff.

J.

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2006, I electronically filed *Defendants' Revised Motion to Dismiss* with the Clerk of Court using CM/ECF. I hereby certify that on June 7, 2006, I have mailed by United States Postal Service, the document to the following non-registered participants:

Shane Hopkins
SBI # 253918
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi
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